

### **Listing of the Claims:**

Please delete all prior listings of claims and substitute therefor the following listing of claims:

1. (Currently Amended) A ~~dried—paste~~ composition comprising freeze-dried ~~demineralized bone matrix~~ DBM particles, ~~an exothermic salt that heats upon contact with a reconstitution fluid,~~ and a carrier, wherein said carrier is gelatin, hyaluronic acid, polyethylene oxide, polyvinylpyrrolidone, polyvinyl alcohol, collagen or dextran, or a ~~combination combinations~~ thereof.
2. (Currently Amended) The ~~dried paste~~ composition of claim 1, wherein said carrier is ~~gelatin and said gelatin is also freeze-dried.~~
3. (Currently Amended) The ~~dried paste~~ composition of claim 1, wherein said freeze-dried DBM particles are about 125 microns to about 850 microns in size.
4. (Currently Amended) The ~~dried paste~~ composition of claim 3, wherein said freeze-dried DBM particles are about 250 microns to about 500 microns in size.
5. (Currently Amended) The ~~dried paste~~ composition of claim 1, wherein said carrier is gelatin.
6. (Currently Amended) The ~~dried paste~~ composition of claim 5, wherein said gelatin is in the form of granules having a size of about 125 microns to about 710 microns.
7. (Currently Amended) The ~~dried paste~~ composition of claim 6, wherein said gelatin is in the form of granules having a size of about 500 microns to about 710 microns.
8. (Currently Amended) The ~~dried paste~~ composition of claim 1, further comprising antibiotics; or sucrose, dextrose or other biologically compatible anti-caking agents; or a

~~combination combinations~~ thereof.

9. (Currently Amended) The ~~paste~~ composition of claim 1, further comprising barium, iodine, or other radioopaque substances, or ~~a combination combinations~~ thereof.

10. (Currently Amended) The ~~paste~~ composition of claim ~~1~~ 4, further ~~comprising an~~ exothermic substance wherein said carrier is gelatin.

11. (Currently Amended) The ~~paste~~ composition of claim ~~10~~ 1, wherein said exothermic salt comprises Magnesium chloride, Sodium sulfate, or Magnesium sulfate ~~or other exothermic salts, or a combination combinations~~ thereof.

12. (Currently Amended) A reconstituted paste composition comprising ~~consisting essentially of an admixture of a dried paste composition comprising~~ freeze-dried DBM particles, ~~an exothermic salt that heats upon contact with a reconstitution fluid,~~ and a carrier, wherein said carrier is gelatin, hyaluronic acid, polyethylene oxide, polyvinylpyrrolidone, polyvinyl alcohol, collagen or dextran, or ~~a combination combinations~~ thereof, ~~and reconstitution fluid, wherein said reconstitution fluid is selected from the group consisting of water, water-based salines, blood or fractions thereof, protein solutions, gelatin solutions, growth factor solutions, antibiotic solutions, analgesic solutions, platelet rich plasma, crude platelet extract, and combinations thereof.~~

13. (Currently Amended) The ~~A reconstituted paste composition of claim 12 wherein the carrier is comprising an admixture of a dried paste composition comprising~~ freeze-dried DBM particles and gelatin, ~~and reconstitution fluid, wherein said reconstitution fluid comprises water.~~

14. (Currently Amended) An article of manufacture comprising a container having the ~~dried paste~~ composition of claim 1 disposed therein.

15. (Currently Amended) The article of manufacture of claim 14, wherein said container is a syringe.

16. (Currently Amended) ~~A The dried paste composition of claim 12 comprising freeze-dried DBM particles and gelatin,~~ wherein the DBM particles are about 250 microns to about 500 microns in size.

17. (Currently Amended) A method of treating a bone defect or injury comprising reconstituting the ~~dried paste~~ composition of claim 1 with a reconstitution fluid to form a paste composition, wherein said reconstitution fluid is selected from the group consisting of water, water-based salines, blood or fractions thereof, protein solutions, gelatin solutions, growth factor solutions, antibiotic solutions, analgesic solutions, platelet rich plasma, crude platelet extract, and combinations thereof; and administering the paste composition to ~~said bone defect or injury~~ a site of need.

18. (Currently Amended) The ~~dried paste~~ composition of claim 1, wherein said dried bone paste is stored at room temperature for more than about 24 hours, and which is reconstituted to form a reconstituted paste composition prior to administration, whereby upon reconstitution said reconstituted paste composition is osteogenic, chondrogenic, or chondroprotective, or a combination thereof.

19. (Currently Amended) A ~~lyophilized dried~~ paste composition comprising freeze-dried DBM particles, an exothermic salt that heats upon contact with a reconstitution fluid, and a carrier, wherein said carrier is gelatin, hyaluronic acid, chondroitin sulfate, polyethylene oxide, polyvinylpyrrolidone, polyvinyl alcohol, collagen or dextran, or combinations thereof, wherein said ~~dried paste~~ composition is lyophilized and stored at room temperature for more than about 24 hours, and wherein when said ~~dried paste~~ composition is combined with water, the resulting combination is osteogenic, chondrogenic, or chondroprotective or a combination thereof upon implantation in the body of a patient reconstitution.

20. (Cancelled)

21. (New) The composition of claim 19, wherein said exothermic salt is selected from the group consisting of magnesium sulfate, magnesium chloride, sodium sulfate, or a combination thereof.

22. (New) The composition of claim 21, wherein the carrier is gelatin.

23. (New) The composition of claim 22, wherein the gelatin is freeze-dried gelatin.

24. (New) The composition of claim 21, wherein the gelatin has a particle size ranging from about 125 microns to about 710 microns.

25. (New) The composition of claim 24, wherein the gelatin has a particle size ranging from about 500 microns to about 850 microns.

26. (New) The composition of claim 25, wherein the DBM particles have a particle size ranging from about 125 microns to about 850 microns.

27 (New) The composition of claim 26, wherein the DBM particles have a particle size ranging from about 250 microns to about 500 microns.